

Planning Committee

Tuesday, 18th January, 2022

HYBRID MEETING OF THE PLANNING COMMITTEE

Members present: Councillor Carson (Chairperson);
Councillors Brooks, Matt Collins,
Garrett, Groogan, Hanvey, Hussey,
Hutchinson, Maskey, McMullan, Murphy,
O'Hara and Whyte.

In attendance: Ms. K. Bentley, Director of Planning and Building Control;
Ms. N. Largey, Divisional Solicitor;
Ms. C. Donnelly, Democratic Services Officer; and
Mrs. L. McLornan, Democratic Services Officer.

Apologies

An apology for inability to attend was reported from Councillor Spratt.

Minutes

The minutes of the meeting of 14th December were taken as read and signed as correct. It was reported that those minutes had been adopted by the Council at its meeting on 10th January, subject to the omission of those matters in respect of which the Council had delegated its powers to the Committee.

Declarations of Interest

Councillor Groogan declared an interest in item 6b - Proposed development of 13 Residential Apartments (One block of 11 No. Apartments, one block of 2 No. Apartments) with associated amenity space and site works at 42-50 Ormeau Road, in that the applicant was known to her and that she would leave the meeting and not participate in the discussion or vote.

Councillors Groogan and Hanvey also advised that they would not participate in the discussion or vote in relation to application 6c - (Reconsidered Item) LA04/2020/0493/F - Alteration and extension of existing building to provide 4 No one bed apartments at 23 Glandore Avenue and 2 Glanworth Gardens, in that they had not been present when the item had been presented to the Committee at its meeting on 17th August 2021.

Committee Site Visit

The Committee noted that a site visit had taken place in respect of the below application on 13th January, 2022:

- LA04/2020/0844/F & LA04/2020/0840/LBC - Demolition of existing boundary wall; conversion of former schoolhouse to cafe and office space with new 1st floor mezzanine; and conversion of former warehouse and erection of

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extension to provide 8 no. apartments with associated cycle parking and bin storage area at vacant Warehouse at Rathbone Street & former St Malachy's School at Sussex Place

Planning Decisions Issued

The Committee noted a list of decisions which had been taken under the delegated authority of the Strategic Director of Place and Economy, together with all other planning decisions which had been issued by the Planning Department between 8th December 2021 and 10th January 2022.

Planning Appeals Notified

The Committee noted the receipt of correspondence in respect of a number of planning appeals which had been submitted to the Planning Appeals Commission, together with the outcomes of a range of hearings which had been considered by the Commission.

DFI Provision of an Accessible/Disabled Parking Bay

The Committee was advised that correspondence had been received from the Department for Infrastructure (DfI), giving notice that it intended to provide an accessible parking bay at 41 Geary Road.

Noted.

Miscellaneous Items

AgendaNi Conference

The Committee agreed the attendance of the Chairperson and the Deputy Chairperson, or their nominees, at the annual agendaNi Planning Conference on Wednesday, 2nd March, 2022.

Update on Regulation 6 Direction to Withdraw Deemed Consent Rights for the Display of Residential Rental Signage in the University Area

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of main Issues

To update members on the project for the removal of deemed consent for estate agent signage in the Stranmillis, Queens and Holylands areas.

2.0 Recommendations

2.1 Committee is requested to:

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- **Note the update regarding the submission of the request for the removal of deemed consent for estate agents' signage in the area identified in map including Stranmillis, Queen's and the Holylands.**

3.0 Main report

Background

- 3.1** Members will be familiar with the strategic project to tackle the proliferation of estate agent signage in the areas of Stranmillis, Queens and the Holylands. Members of the March 2017 Planning Committee endorsed the project and instructed officers to prepare and submit a formal request to the Department for Infrastructure (DfI). A copy of that Committee Report is available [here](#).
- 3.2** Following this instruction, officers liaised with DfI from February 2020, seeking their views and comments in advance of preparing a formal submission.

Current situation

- 3.3** The report has been updated following this engagement and is available [here](#). DfI has now invited the council to make a formal request to the Department as required by Regulation (6)(1) of the 2015 regulations.
- 3.4** The request under regulation 6 is to be for an initial period of 10 years and will restrict Deemed Consent for advertisements granted under Schedule 3, Part 1, Class 3 of the Planning (Control of Advertisements) Regulations (NI) 2015 related to letting residential properties only (this does not include those related to other uses including agricultural, industrial or commercial, or 'for sale' signs).

Next stages – DfI consultation process

- 3.5** Following formal submission by the council, the Department shall publish notice of the proposed Direction with details of the areas affected. This will allow at least 21 days for representations to be made to the Department, who are required to take these into account in deciding whether to confirm the Direction (with or without modifications), possibly after a hearing by the Planning Appeals Commission.

Next stages – Implementation

- 3.6** Should the Department make a Direction the council will be required to advertise notice of it and also serve notice on owner occupiers in the areas affected.

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- 3.7 The council will also continue its engagement with key stakeholders to ensure that the scheme is well publicised, and support is provided to those operating within these areas. An enforcement strategy for dealing with the scheme will be implemented.

Financial & Resource Implications

- 3.8 None. It is anticipated that the successful implementation of this scheme will reduce the resources necessary to enforce estate agent signage in the areas.

Equality or Good Relations Implications

- 3.9 None.

The Committee noted the contents of the report.

Review of Strategic Planning Policy on Renewable & Low Carbon Energy

The Committee considered the undernoted report:

“1.0 Purpose of Report or Summary of Main Issues

- 1.1 The Department for Infrastructure (Dfi) is carrying out a review of Strategic Planning Policy on Renewable and Low Carbon Energy. Dfi has circulated an Issues Paper to a range of key stakeholders for comment (see [Appendix 1](#)) with a view to issuing a draft revised policy document for full public consultation sometime in 2022.

- 1.2 The Planning Committee is asked to agree the Council’s response at [Appendix 2](#), which will inform the Department’s review.

2.0 Recommendation

- 2.1 The Committee is asked to consider and if appropriate agree the draft response to Dfi’s review of Strategic Planning Policy on Renewable and Low Carbon Energy as set out at Appendix 2 on mod.gov.

3.0 Main Report

Background

- 3.1 In March 2016 the Department issued a ‘Call for Evidence’ to help inform the scope of a proposed focused review of strategic planning policy for Renewable Energy development to which the

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council subsequently responded. Following an announcement by the Minister in April 2021 the Department is now undertaking further stakeholder engagement to assist in informing the preparation of a public consultation draft policy document which the Department aims to publish in 2022.

- 3.2 The Department anticipates that this review may result in an amendment to the Strategic Planning Policy Statement (SPPS) (DOE, 2015) as it is seeking to ensure that strategic planning policy on renewable and low carbon energy development remains fit for purpose and up-to-date in order to inform both the decision-making process as well as the Local Development Plan (LDP) preparation process, all within the wider contemporary context for energy and the climate emergency.

Planning Policy Context

- 3.3 The provisions of the SPPS apply to the whole of Northern Ireland and they must be taken into account in the preparation of LDPs and are material to all decisions on individual planning applications and appeals by planning authorities. The current policy approach in the SPPS in relation to Renewable Energy (RE) is:
- 3.4 *‘to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland’s renewable energy targets and to realise the benefits of renewable energy without compromising other environmental assets of acknowledged importance’ (Paragraph 6.218).*

Wider Policy Context

- 3.5 The SPPS sets out a range of objectives which seek to ensure that RE development makes an increased contribution to the overall energy mix in accordance with the Department for Economy’s (DfE) strategic aims for a more secure and sustainable energy system. [The Path to Net Zero Energy](#), the Executive’s recently published Energy Strategy (December, 2021) sets a target of meeting at least 70% of electricity consumption from a diverse mix of renewable sources by 2030.
- 3.6 This review also provides an opportunity to consider how strategic planning policy can help address the climate emergency in terms of mitigation and adaptation measures as well as enabling a green recovery from the Covid pandemic. Given the wider policy context this Issues Paper has been circulated to other relevant sections within the council to ensure the response takes account of broader initiatives and policies.

Scope of the Review

- 3.7 The scope of the review includes consideration of strategic planning policy matters with regards to current and likely future renewable and low carbon energy development and associated infrastructure. The review focusses on, but is not limited to:
- Energy targets & strategic planning policy;
 - Locational considerations;
 - Siting new wind farms in perpetuity;
 - Wind turbines & amenity considerations;
 - Decommissioning and site restoration for new development;
 - Solar farms and agricultural land;
 - Co-locating renewable, low carbon and supporting infrastructure;
 - Re-powering existing wind farms; and
 - Emerging technologies and other issues.

Key Issues

- 3.9 The Council broadly supports the rationale for this review, however, it does not consider that any fundamental change to strategic planning policy is necessary as existing provisions within the SPPS set out a reasonable and balanced approach to facilitating renewable energy developments in appropriate locations without compromising acknowledged environmental assets whilst at the same time recognising that there may be wider environmental, economic and social factors to consider.
- 3.10 The Local Development Plan preparation process provides sufficient scope for councils to introduce operational policies which take into account local circumstances such as topography and amenity considerations and as such the SPPS does not need to be overly detailed or prescriptive providing that local policies are found to be sound.
- 3.11 The Council welcomes that this review seeks to have regard to wider policy developments such as the climate emergency and attempts to address how the targets set out in DfE's Energy Strategy may be achieved. However, it is also important that that any changes to strategic policy considers the potential implications for the future development of the energy network as set out in SONI's 'Shaping Our Electricity Roadmap'. Consideration needs to be given to the potential implications that any policy change may have in delivering the renewable generation capacities identified in this roadmap document and the approach to future network and infrastructure development.

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- 3.12 The Council's proposed response to the Department's Issues Paper is provided at Appendix 2 on mod.gov. Members are asked to endorse this response.

Financial & Resource Implications

- 3.13 There are no resource implications associated with this report.

Equality implications or Good Relations implications / Rural needs assessment

- 3.14 None."

The Committee agreed the draft response.

Request for a Special Meeting – Director of Planning and Building Control to raise

The Director of Planning and Building Control advised the Committee that there were a number of major applications, which were time sensitive but would not be ready for consideration by the Committee at its monthly meeting in February, but which would need to be determined as soon as possible.

The Committee agreed that a Special Meeting would be held, if deemed necessary by the Director of Planning and Building Control, in late February/early March, with the final date to be agreed with the Chairperson.

Restricted Item

The information contained in the report associated with the following item is restricted in accordance with Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014.

Resolved – That the Committee agrees to exclude the members of the Press and public from the meeting during discussion of the item as, due to the nature of the item, there would be a disclosure of exempt information as described in Section 42(4) and Section 6 of the Local Government Act (Northern Ireland) 2014.

Revenue Estimates & District Rate 2022/2023

(Mr. T. Wallace, Head of Finance, attended in connection with this item.)

The Head of Finance presented the Committee with an overview of the budgetary pressures facing the Council in 2022/23 and the cash limit for the Planning Committee, as recommended by the Strategic Policy and Resources Committee at its meeting on 17th December, 2021.

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The Committee:

1. agreed that the paper should not be subject to call-in because it would cause an unreasonable delay which would be prejudicial to the Council's and the public's interests in striking the rate by the legislative deadline of 15 February 2022;
2. agreed the cash limit of £1,462,301 for the Planning Committee for 2022/23 and the individual service estimates detailed in Table 3 on mod.gov; and
3. noted the next steps in the rate setting process outlined in paragraph 3.18 on mod.gov.

Planning Applications

THE COMMITTEE DEALT WITH THE FOLLOWING ITEMS IN PURSUANCE OF THE POWERS DELEGATED TO IT BY THE COUNCIL UNDER STANDING ORDER 37(e)

Withdrawn items

The Members noted that the following two applications had been withdrawn from the agenda:

- LA04/2020/2615/F - Hot Food Take Away Unit on lands opposite junction of Stewartstown Road and Suffolk Road
- LA04/2021/1242/F - Change of use from coffee shop to extension of amusements arcade on the ground floor

(Reconsidered Item) LA04/2019/0775/F - 18 dwellings to include revision of site layout of previous approval Z/2007/1401/F at sites 2-8 (7 dwellings) and additional 11 No. dwellings, including landscaping, access via Hampton Park and other associated site works on lands approximately 50m to the north of 35 Hampton Park and approximately 30m to the west of 60 Hampton Park, Galwally

The Principal Planning officer outlined the history of the application to the Committee, whereby it had originally been listed for consideration on 17th August, 2021. It was withdrawn from the agenda to allow the Members to undertake a Planning Committee site visit, which had subsequently taken place on 2nd September, 2021. The application was then re-listed for consideration by the Committee on 14th September, 2021 but was subsequently withdrawn from the agenda following legal advice in respect of the Habitats Regulations Assessment (HRA) form which had not been uploaded to the Planning Portal. That information was subsequently uploaded to the Portal on 15th September, 2021. The application was then due to be considered by the Committee on 21st October, 2021. However, prior to that meeting, the item was withdrawn from the agenda in order to deal with an issue raised by DAERA NIEA regarding waste water capacity.

She outlined that the site was undesignated whiteland within the BUAP and was zoned for housing within dBMAP (ref. SB05/04). The site was also located within the Lagan Valley

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Area of Outstanding Natural Beauty (AONB), the Belvoir Site of Local Nature Conservation Importance (SLNCI) and a small portion of the site was located within the Hampton Park Area of Townscape Character (ATC). The site lay immediately adjacent to Lagan Valley Regional Park (LVRP).

The Committee was advised that there was an extant planning approval on a large portion of the site for 35 dwellings (ref. Z/2007/1401/F). The Principal Planning officer explained that a recent application for a Certificate of Lawfulness for existing use/development (CLEUD ref. LA04/2020/2324/LDP) had confirmed that works had been carried out in accordance with the previously approved development and could lawfully be completed.

The Members' attention was drawn to the Late Items Pack. The Principal Planning officer advised the Committee that the addendum report had incorrectly stated that an additional 19 objections were received following the latest issue of neighbour notification letters in December 2021. That was an error and a further 16 objections had been received at that time. However, further to the publication of the report, three further objection letters were received, including one from Paula Bradshaw MLA. No new issues were raised. Consequently, a total of 19 additional objections were received following the latest issue of neighbour notification letters in December 2021. The total number of objections stood at 231.

The key issues which had been considered in the assessment of the proposed development included the impact on ecology; traffic, road safety and access; the character of the area and on potential rights of way.

The Members were advised that, throughout the process, numerous amendments had been received to address issues around the settlement limit boundary, the topography of the site, the inter relationship of units and internal boundaries, residential amenity and landscaping. The Principal Planning officer explained that it was considered that the proposed development was generally respectful of the surrounding context and character of the immediate locality. Furthermore, it was considered that the pattern and layout; the design, scale and density of the development was appropriate and generally in keeping with the overall character of the area; and the environmental quality of the established residential area would be maintained. She outlined that there would be no significant negative impacts to the amenity of existing residents and that the scheme would result in a quality residential environment for prospective residents.

The Committee was advised that supporting information had been submitted in relation to the impact on ecology, specifically in relation to habitats and protected species, including badgers. Following consultation with NIEA, it was considered that the proposed development complied with the policy tests of PPS 2, subject to conditions mitigating potential ecological impacts.

DFI Roads had provided comments on the proposed development, including access, car parking and the intensification of Hampton Park junction. Following amendments to the scheme, DFI Roads had no objection, subject to conditions.

The Committee was advised that the proposed layout included a pathway linking the proposed development (and in effect, Hampton Park) with Lagan Lands East. The Council's

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Access Officer had also advised that the existing route to Galwally Avenue did not have the hallmarks of a public right of way and was unlikely to be asserted as such.

The Members were advised that Shared Environmental Services (SES) had completed a Habitats Regulation Assessment (HRA) on 23rd April, 2021 and the consultation response was uploaded on the same date. The Principal Planning officer explained that SES had concluded that the proposal was unlikely to have a significant effect on any European Site, either alone or in combination with any other plan or project and therefore an appropriate assessment was not required. The HRA form was uploaded to the Planning Portal on 15th September, 2021.

It was reported that NIEA Water Management Unit (WMU) had noted, in its previous consultation response of 17th May 2019, that it was content with sewage loading from the proposed development being transferred to the Newtownbreda Waste Water Treatment Works (WWTW). It had also advised that it continually reviewed potential impacts to the surface water environment from proposed developments connected to the various WWTWs, including loadings and treatment regimes at those treatment works, as well as considering whether or not the works had been upgraded. Following that review, the WMU was now concerned that the sewage loading associated with the current proposal had the potential to cause an environmental impact if transferred to this WWTW. WMU had advised that if NI Water confirmed that it was content that both the receiving WWTW and the associated sewer network for the development could take the additional load, with no adverse effect on the WWTW or sewer network's ability to comply with their Water Order Consents, then WMU had no objection to that aspect of the proposal. A response from NI Water was received on 8th November, 2021, confirming that there was available capacity at the nearby WWTW.

The Principal Planning officer explained that NI Water had advised that an odour assessment was required due to the sites proximity to the operations of the existing Wastewater Treatment Works.

The developer had submitted an odour assessment and a letter from NI Water that it had assessed the proposal and it would not raise any objection on the grounds of 'incompatible development'. The letter was uploaded to the Planning Portal and a further consultation was issued to NI Water. A response was received from NI Water on 10th December 2021, indicating that the odour assessment was "positive" and its recommendation was to approve the application with standard and specific conditions. Having regard to the advice from NIW, it was considered that the proposed development complied with the tests of Policy WM5 of PPS 11.

The Chairperson welcomed Councillor Lyons to the meeting. He advised the meeting that he would request that the Committee would reject the application. He stated that:

- the site lay within within the Lagan Valley Area of Outstanding Natural Beauty (AONB), the Belvoir Site of Local Nature Conservation Importance (SLNCI) and a portion of the site was located within an Area of Townscape Character (ATC). It was also immediately adjacent to Lagan Valley Regional Park (LVRP);
- the sheer number of objections to the application illustrated the strength of feeling from residents, and the fact that the objections came from a

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broad area across the city demonstrated that the site was seen as an amenity for the city in terms of accessing the river corridor and a green, unspoilt area;

- he had concerns regarding the Waste Water management and the proximity to the River Lagan; and
- he asked that the Committee would consider public path creation agreement(s) in terms of the concerns which had been raised by residents in respect of the connectivity through the site; and
- the existing junction of Hampton Park and the Ormeau Road was not fit for purpose and the increased demand that the application would place on traffic in the area.

In response to a Member's question, Councillor Lyons highlighted the importance of the pedestrian and active travel routes that existed from Hampton Park and Galwally Avenue through to Belvoir Forest Park and to Lagan Lands East and onto the Lagan Towpath. He added that a number of local residents maintained the pathways and were quick to tidy up any rubbish left as a result of anti-social behaviour which had taken place during lockdown.

The Chairperson welcomed Dr. T. Degenhardt and Mr. D. Smiley, who had objected to the application.

Dr. Degenhardt advised the Committee that:

- the site was within an Area of Outstanding Beauty which were a pristine wildlife sanctuary for badgers and bats, both of which were protected species;
- the biodiverse area should be protected for future generations and queried how many animals would lose their habitats;
- the UN had issued a Code Red for humanity;
- the final number of houses proposed for the site was unclear due to extant permission, but could be for up to 53 large dwellings;
- the extant permission was granted in 2009 yet the first houses were only constructed on site in April 2021;
- people were much more aware of climate change now than they were in 2009 and queried whether the 2009 approval could be revised in light of that;
- the current development contradicted the Council's Green and Blue Infrastructure plan;
- the development would have a negative impact on the sewage system;
- it would also have a negative impact on the traffic in Hampton Park, with potentially up to 100 extra cars;
- the cumulative impact of the application should be considered in conjunction with the extant planning permission of 2009; and
- 410 objections were listed on the Portal, not 253.

Mr. Smiley advised the Committee that:

- he had grown up and spent his whole life within the area;
- in 2017 the planning report for the new Stranmillis bridge stated that the Lagan Gateway project would include the provision of a new boat lock at

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Stranmillis, a new footbridge and a path linking Annadale Embankment with Stranmillis and Belvoir Park;

- the bridge was opened in September 2021, at a cost of £5million;
- the Council's website stated that, "in the near future we hope to develop pathways into Belvoir Forest Park making it more accessible for people on foot or bike";
- the current proposal in Hampton Park included a pathway linking the development and, in effect, Hampton Park, with Lagan Lands East; and
- the pathway from Hampton Park to Galwally Avenue was well-used by local residents and visitors and provided a key access into Belvoir Forest Park, and that the Committee should be mindful of it in terms of the Council's plan for the area.

In response to a Member's question, Mr. Smiley reiterated that it would be scandalous for the Council to have invested so much money in the new bridge only for the enhanced recreational and active travel benefits never to materialise. He stated that, because there was a small obstacle on the path between Galwally Avenue and Hampton Park, legally it was not being classed as a public right of way.

The Chairperson welcomed Mr. S. McKee, agent, to the meeting. He advised the Committee that:

- the application comprised an amendment to house types for an approved 7 dwellings within the extant planning permission for the site, along with an additional 11 dwellings;
- the site was zoned for housing in draft BMAP and lay outside of the Lagan Valley Regional Park and did not abut the Lagan River;
- with the exception of a small section, the site lay outside the Hampton Park Area of Townscape Character. However the characteristic tree lined avenue, which was a prominent feature of Hampton Park, had been continued into the development;
- the site had a long history of planning permissions for residential development going back over 20 years;
- as identified in the Committee report, a Certificate of Lawful use was granted under the Planning Act, which affirmed the implementation of planning permission Z/2007/1401/F, for 35 dwellings. The development within that permission could therefore be completed at any time and was a material consideration;
- the proposed change of house types provided a better mix of house types and also permitted access to the wider Lagan Valley Regional Park by providing a housing layout that was visually and physically more permeable and which supported the Phase 2 Lagan Gateway proposals that would provide connectivity to Galwally Avenue and connect into the now completed Phase 1 of the Lagan Gateway project northbound through Lagan Lands East, towards the new Lagan Gateway bridge;
- a landscape buffer was provided with open space along the western boundary of the site which would assist in the integration of the development into the existing natural landscape and reducing the opportunity for antisocial behaviour;

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- the Key Site Requirement attached to the subject housing zoning proposed a maximum gross density of 15 dwellings per hectare and the proposed scheme was notably below this yield;
- NI Water, had confirmed that there was available capacity within the water network and serving Waste Water Treatment Works to accommodate the development and that there was not considered to be any issue for prospective residents in terms of odour;
- a number of Habitat Surveys were considered by the statutory authority, DAERA, which had raised no objections and provided a number of recommended conditions. They were also reviewed by Shared Environmental Services, which was satisfied that the development would not impact on protected habitats;
- the transport analysis submitted with the application considered the impact of all 18 dwellings proposed in the application. DfI Roads had considered the information and the third party representations and it was satisfied that the development would not prejudice road safety or significantly inconvenience the flow of traffic in accordance with PPS3;
- the current application would improve upon the extant permission by delivering a development which responded more appropriately to the Lagan Valley Regional Park both visually and in terms of connectivity, and complied with the Council's ambitions in respect of the Lagan Gateway project; and
- the Council's Parks team had been in consultation with the Project Architect in respect of the pathway and its location which had been designed to connect with phase 2 of the Lagan Gateway project.

The Chairperson thanked Mr. McKee for his contribution.

In response to a Member's question for officers, the Principal Planning officer confirmed that NI Water was now satisfied with the proposal with conditions.

In response to a further question from the Member in relation to the public access elements which had been raised by objectors, and whether they could be conditioned as part of an approval, the Principal Planning officer confirmed that if it met the test of a condition then it was deemed reasonable to allow pedestrian access or a right of way. The Divisional Solicitor added that it was something that officers could investigate and deal with under delegated authority if the Committee was minded to grant the application. She added that, alternatively, if the Committee felt that the issue was fundamental to its decision, then the application could be deferred to allow officers to consider that and report back.

In response to a further Member's question, the Principal Planning officer confirmed to the Committee that the entire site was zoned for housing and that the application was therefore compliant with policy.

Moved by Councillor Groogan,
Seconded by Councillor Matt Collins and

Resolved - That the Committee agrees to defer consideration of the application in order that officers would investigate whether it is possible to

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attach a condition or a planning agreement to it, to ensure a right of access through the site for use by the general public.

(Reconsidered Item) LA04/2019/1886/F - 13 Residential Apartments (One block of 11 No. Apartments, one block of 2 No. Apartments) with associated amenity space and site works at 42-50 Ormeau Road

(Councillor Groogan, having declared an interest in the item, did not participate in the discussion or vote in respect of this item and left the meeting for the duration.)

The Senior Planning officer reminded the Committee that she had presented the details of the application to the Committee at its meeting on 21st October, 2021. At that meeting, the Committee had agreed to defer consideration of the application to enable a site visit to be undertaken to allow the Committee to acquaint itself with the location and the proposals at first hand, particularly to consider the useable amenity space on site. The site visit had taken place on 11th November, 2021.

The Committee's attention was drawn to the Late Items pack where two further objection letters had been received in respect of the application, from Councillor Gormley and Councillor McKeown. The Senior Planning officer advised the Committee of the officers response to the points raised within the objections. She explained that alleyways could not be included as part of the proposal, nor could they be conditioned, as the area was outside the red line boundary of the planning application.

The Members were advised that the total number of objections, including the two which were included within the Late Items pack, stood at 77.

An objection which had been received since the last Committee report raised issues with the measurements presented in the original case officer report whereby it stated that "the gable wall of Block B was located approximately 10.3 metres from the rear wall of No. 8 Shaftesbury Avenue" (para 8.16). The objector claimed that the measurement of 10.3 metres was actually from the rear wall of the primary terrace. No. 8 Shaftesbury Avenue had a large extension at the rear, which extended approximately 5.6 metres from the main terrace. The rear wall of the extension was located approximately 4.75 metres from Block B. The objector stated that the measurement should have been taken from the rear wall of the extension as the proposed block B was located 4 metres from that rear wall. The objector advised that their rear yard was bound on both sides by 10 metre high returns and that the proposed Block B would result in the filling in of the gap at the rear and would close off any natural light coming into the yard.

The Senior Planning officer explained that paragraph 8.16 specifically related to the impact of the proposal on the outlook for existing and proposed occupiers. She advised that No. 8 Shaftesbury Avenue had windows looking towards Block B on the rear wall of the primary terrace, however, there were no windows on the rear wall of the extension. Consequently, the windows potentially impacted by the outlook were approximately 10.3 metres from the proposed Block B.

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The objector had also raised an issue regarding the natural light experienced within the rear yard at No. 8 Shaftesbury Avenue. The Senior Planning officer outlined that, with regard to the surrounding context, it would appear that the rear yard of No. 8 was a relatively dark space which very rarely experienced direct sunlight. Furthermore, the proposed Block B was not overly large and that the hipped roof would lessen any impacts and it was located due north and, therefore, would not create a shadow.

The Senior Planning officer advised the Committee that, following the October Committee meeting, the case officer had emailed the planning agent, highlighting the concerns which had been raised by Members regarding the communal amenity space and enquiring if any consideration had been given to amending the proposal as a result of the concerns. The Members were advised that the agent had responded advising that an option to increase 'usable' amenity space would be to reduce planting around the building, however, he acknowledged that the planting and vegetation would help to soften the proposal. He stated that the provision of balconies would not be in keeping with the surrounding context and would exacerbate overlooking concerns to the rear. The agent had also stated that the useable amenity space amounted to more than 45 square metres and noted the surrounding context of the site and the proximity of local amenities. He had also stated that the objections in relation to the quality of amenity space were somewhat incompatible with the objectors' support for the previously approved scheme on the site, which had included no amenity space or landscaping within a higher density development.

The Senior Planning officer explained that, since the previous Committee meeting, the final DfI Roads Consultation had since been received, approving the application with conditions.

A Member expressed concern regarding the proposal.

Moved by Councillor Garrett
Seconded by Councillor Maskey and

Resolved - that the Committee refuses the application as it is contrary to PPS7 Quality Residential Environments, including PPS7 Addendum - Safeguarding Residential Areas, in that it would have a negative impact on both the character of the established residential area and the residents in the immediate location of Shaftesbury Avenue and Cooke Mews. Furthermore, the application is refused insofar as it would exacerbate the existing parking constraints within surrounding streets with a negative impact on the established residential area and due to the provision of minimal amenity space; and accordingly the Committee agrees to delegate authority to the Director of Planning and Building Control to finalise the refusal reasons.

(Reconsidered Item) LA04/2020/0493/F - Alteration and extension of existing building to provide 4 No one bed apartments at 23 Glandore Avenue and 2 Glanworth Gardens

(Councillors Groogan and Hanvey did not participate in the discussion or vote in this item as they had not been present when the item had been presented to the Committee at its meeting on 17th August 2021.)

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The Senior Planning officer reminded the Committee that the full application had been presented to the Committee on 17th August, 2021 and had been deferred to allow the Committee to undertake a site visit. The site visit had taken place on 9th September, 2021. Subsequent to the site visit, the application had been presented to the Committee again on 21st October, 2021, where an objector had outlined their concerns and the applicant had indicated that they were content to engage directly with them. The Committee had agreed to defer consideration of the application at that meeting to allow for engagement between the applicant and the local residents who had objected to the proposal.

Subsequent to the meeting on 21st October, the objectors had submitted a letter to the applicant's agent detailing amendments that they considered appropriate. These included:

- a reduction in the number of 1no bed apartments, with more provision for accommodation suitable for families. The objectors suggested a reduction to 3no apartments;
- provision for 1 parking space within the site and a reduction in the requirement for on street parking; and
- efforts to retain the existing rear return with existing architectural features on the site to be retained where possible. New brickwork should be consistent with the existing Victorian brick pattern and style.

The Senior Planning officer explained that no new matters were raised which had not already been raised in previous objections and had been fully considered in the original Case Officer's report of 17th August and the Late Items Pack of 21st October.

She drew the Members' attention to the Late Items Pack, whereby the objectors had submitted a further letter of objection and had also advised that they had not had any response from the applicant or agent in respect of their letter. A statement from the agent for the application had confirmed that, following a review of the objectors' requests in the letter dated 22nd November, the applicant did not intend to amend the scheme.

The agent had also confirmed to the Council, on 7th December that, having considered the comments and the requests from the objectors, the applicant did not intend to amend the scheme.

The Chairperson advised the Committee that Mr. C. Hughes, Mr. A. Hughes and Mr. N. Hughes, objectors, were in attendance, as was the applicant, Mr. L. Bannon. He explained that as all parties had already presented to the Committee, they were in attendance to answer any points of clarification from the Members.

In response to a Member's question, Mr. C. Hughes advised the Committee that the applicant or agent had not contacted any of the objectors in respect of their concerns since the meeting of 21st October, 2021, despite having sent them a list of their concerns.

Mr. Bannon, applicant, advised the Committee that he had asked the architect to engage with the objectors but that there was nothing else that could be amended within the scheme in order to make it viable.

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The officer's recommendation to approve the application, as outlined within the report, was put to the Committee. On a vote, five Members voted for the proposal and six against and it was lost.

Proposal

Moved by Councillor of McMullan,
Seconded by Councillor Matt Collins,

That the Committee agrees to refuse the application as, under PPS 7, the Council should only permit new development where that would maintain or enhance the overall character of the area and respect it in relation to the partial demolition of the property and the application did not meet that policy. The Committee agrees that it is contrary to PPS 7, safeguarding character of established residential areas, given the loss of 2 family sized properties and the development of 4 single bed properties. Delegated authority is thereby given to the Director of Planning and Building Control for the final refusal reasons.

On a vote, eight Members voted for the proposal, with none against and one no vote, and it was accordingly declared carried.

LA04/2020/0844/F & LA04/2020/0840/LBC - Demolition of existing boundary wall; conversion of former schoolhouse to cafe and office space with new 1st floor mezzanine; and conversion of former warehouse and erection of extension to provide 8 no. apartments with associated cycle parking and bin storage area at vacant Warehouse at Rathbone Street & former St Malachy's School at Sussex Place

The Principal Planning officer outlined the details of the application to the Committee, which related to a mixture of uses, including residential, office and a café. The site was located within the designated City Centre and consequently, there was no objection in principle to any of the proposed uses at that location.

She drew the Members attention to the Late Items Pack, whereby a further 21 objections had been received in respect of the proposed development, including from Councillor Flynn and Paula Bradshaw MLA. Consequently, a total of 286 objections had been received in respect of application LA04/2020/0844/F and 281 in respect of application LA04/2020/0840/LBC. The new issues raised within the late objections included the following:

- residents had not been given adequate time to prepare their objections for the Committee;
- the proposal would have a negative impact on community cohesion;
- Joy Street, Sussex Place and Rathbone Street were part of an established residential area - the status was confirmed by the draft BMAP which had designated the area, including the application site, as a protected city centre housing area;

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- the protected city centre housing area designation overrode the definition of an established residential area in Annex E of Safeguarding the Character of Established Residential Areas;
- the proposed development was contrary to Policy LC2 of PPS 7 Addendum, specifically criterion (e) the development did not contain any flat or apartment which was wholly in the rear of the property and without access to the public street;
- the proposed development was contrary to para 4.12 of the SPPS, in relation to safeguarding Residential and Work Environs;
- the Markets area should see an inclusive, community centred approach to planning;
- proposed development was focused solely on private gain rather than community and civic uplift; and
- the proposal denied the local community access to a vital part of its built heritage.

The Principal Planning officer outlined the officers' response to the issues which had been raised, including that:

- information in respect of the January Planning Committee meeting was published on the Council's website on Tuesday, 11th January, 2022 and representatives of the local community had requested speaking rights on the item;
- the designation as an established Residential Area and a Protected city centre housing area were not linked and one designation did not outweigh the other. According to the definition of an established residential area in Annex E of PPS 7 Addendum, the application site was not considered to be an established residential area. Furthermore, Annex E stated that policy LC1 would not apply to designated city centres;
- the application site was located within a Protected city centre housing area, as designated in dBMAP. As per para 8.13 of the report, Policy HOU 5 stated that permission would not be granted for any development that resulted in a change of use from housing within such an area. The application site was not currently used for housing and therefore the proposal did not conflict with that policy;
- it was considered, on balance, that the proposed development was not contrary to Policy LC2 of PPS 7 Addendum. As per the case officer's report, there was no adverse effect on the local character, environmental quality or residential amenity, the proposal maintained the form, character and architectural features, design and setting of the existing building, the original property was greater than 150 sq metres gross internal floorspace, all apartments were self contained and the development did not contain any apartment which was wholly in the rear of the property and without access to the public street (all apartments had access to Joy Street); and
- In relation to para 4.12 of the SPPS, residential amenity considerations were considered within the case officer report.

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The Members were advised that the application site included the former St Malachy's Primary School, a Grade B1 listed building. The listing encompassed the old school building and an adjoining warehouse. There were also a number of listed buildings located within the immediate locality. The Principal Planning officer highlighted that those listed buildings and the location within the Linen Conservation Area contributed to the character of the site and the surrounding area. She explained that Historic Environment Division (HED) had provided comments on the proposal and was content that the proposal satisfied the tests of para 6.12 and 6.13 of the SPPS and Policies BH7, BH8 and BH11 of PPS 6.

The Council's Conservation Area officer had provided comments on the proposal, advising he had no objection to the proposed change of use and that he welcomed the retention and re-use of the existing listed buildings. He concluded that he had no objections in principle, however, concerns had been noted with suggested revisions. The Committee was advised that the concerns related to the additional storey on the Joy Street elevation and the provision of dormers on the listed warehouse building. However, Members were reminded that HED was the authority on Listed Buildings and that it was content.

In terms of the impact on the Conservation Area, the Conservation Area officer advised that the proposed development, on balance, resulted in an enhancement of the appearance and character of the Linen Conservation Area, in accordance with the SPPS and Section 104 of the Planning Act.

The Principal Planning officer advised the Committee that it was considered that the design and layout of the proposed development would not create conflict with the adjacent land uses. She explained that there would be some limited overlooking, natural light and outlook, however, those concerns were balanced against the inner city location of the site and the proposed renovation and re-use of an existing vacant listed building. On balance, therefore, it was considered that the amenity concerns would not give rise to an unacceptable adverse impact on existing or proposed occupiers.

In terms of the provision of amenity space, the Members were advised that the proposed space fell below the standards set out in Creating Places. The agent had advised that it was not feasible to provide an adequate amount of amenity space within the proposal. It was acknowledged that the application site was located within the City Centre and in relatively close proximity to the City Hall and Waterfront Hall and the River Lagan. It was also recognized that there was limited opportunity to provide amenity space within the existing listed warehouse, where six of the apartments were proposed.

The Principal Planning officer outlined that the proposed development supported walking, cycling and was within close proximity of public transport links and city centre amenities. In relation to the needs of people whose mobility was impaired, there was no lift access within the apartment building, however, there was accessible accommodation provided to the two ground floor apartments, the office and the café.

The Committee was advised that the application site was located within the coastal floodplain. However, as the proposal involved the re-use of an existing building, it could be considered an exception under policy FLD 1 of PPS 15. DFI Rivers Agency had provided comment on the submitted Flood Risk Assessment, advising of no objections.

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There were no concerns in relation to parking or sewage infrastructure.

The Chairperson welcomed Mr. D. Worthington, Pragma Planning, Mr. B. Murtagh, Queen's University, and Mr. F. Hargey, Market Development Association, who wished to present to the Committee on behalf of objectors. The Chairperson advised the Committee that Ms. G. Jobling, JPE planning, and Ms. C. Farmer, a local resident, were also in attendance to answer any questions from the Members.

Mr. D. Worthington advised the Committee that:

- the proposal was contrary to Policy QD1 of PPS7 para 6.137 of SPPS;
- the proposal constituted town cramming, with four demonstrable indicators of it – namely:
- the apartments provided substandard accommodation, there were no facilities or private open space and no natural light which was contrary to QD1 criterion (c) and LC2 criterion (e) of the Addendum to PPS7;
- the proposal involved the erasure of historic urban grain through the infilling of the open yard and negative effects on the listed buildings around it which was contrary to QD1 criterion (b);
- the bin storage for the apartments was via the entrance on Joy Street, and was directly opposite existing dwellings and alongside the entrance to Hamilton House, which was contrary to paragraph 4.12 of the SPPS and QD1 criterion (h);
- the servicing and bin access for the coffee shop was unenforceable and absurd –the number of trips could not be measured daily and its waste would have to be brought through an occupied office;
- finally, the site was within a Conservation Area, PPS7 QD1 permitted development which intensified the use of the land or increased site coverage only in exceptional circumstances and the application, in fact, did both but that the exceptional circumstances had not been demonstrated, nor covered within the Case officer's report at all.

Mr. B. Murtagh explained that:

- in respect of the provision of open space and amenity space, officers had admitted that it was in contravention of PPS7 QD1 Creating Places and Conservation Area policy, in fact, that the proposal intended to remove perfectly servable amenity space from the development;
- the Council's own Conservation Design Guide stressed the need to integrate Joy Street, Hamilton Street and St Malachy's and the convent which were all listed buildings within an integrated townscape;
- the Case officer's report outlined that there was not room in an inner city scheme such as the application at hand for open space/amenity space;

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- the walled open courtyard was an integral part of the school and the fabric of the convent;
- in a separate Conservation Impact report, carried out by a Grade 1 Conservation architect, it was scathing in its analysis that the impact of the proposal “was a blatant an example of overdevelopment as one could ever expect to find”;
- the NIHE minimum space standards were 60-65 metres squared whereas the apartments proposed in Rathbone Street were 53 metres squared – they were dark, narrow and significantly overlooked, which was bound to have an impact on future residents’ health and wellbeing; and
- the apartments fronting onto Rathbone Street were not accessed by it but rather by the rear of the building, which was in convention of PPS7 LC2, which stated that no apartment in a converted building should be located solely to the rear of a property with no access to the front of the building, and that had not been fully addressed within the Case officer’s report.

In response to a Member’s question regarding the access to the bin storage area from the café, they advised the Committee that there was an assumption within the report that waste would only be taken out four times per day and that would be unenforceable in terms of the management plan. As a result, they added that they felt that the bins would inevitably end up being stored on Rathbone Street.

In response to a further Member’s question regarding consultation with local residents, Mr. Hargey advised the Committee that residents were always attentive in terms of keeping updated with new planning applications in the area and that it was unfortunate that the application had been submitted during the first lockdown due to the Covid-19 pandemic, which had meant that there could be no face to face consultation events. He explained that there had been an assumption that all residents had internet access in terms of undertaking online consultation and that that was not the case for many residents in the area as it fell within one of the most deprived wards in the City. He added that the Council had since apologised for the fact that letters had been issued to residents on a bank holiday in late May 2020, informing residents that they had to submit concerns within just a few days.

In respect of parking concerns, Ms. Farmer explained that she lived adjacent to the site. She advised the Committee that many of the surrounding streets had double yellow lines in place and that those that didn’t suffered greatly with commuter parking and, as a result, residents of the area already struggled on a daily basis to get parked near their properties.

A Member stated that the Committee was aware of significant parking issues in the area and that the DFI Roads response in respect of the application unfortunately did not reflect the situation.

The Chairperson welcomed Councillor Gormley to the meeting. He explained that he objected to the application for the following reasons:

- it constituted overdevelopment, in terms of cramped apartments, lack of amenity space, unsatisfactory bin arrangements;

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- the location of the main domestic bins on Joy Street would pose a serious issue as it was adjacent to entrances to neighbouring buildings and opposite houses in Joy Street. Residents were extremely concerned about the noise, smell and possible attraction of rats;
- the Management Plan was unworkable, specifically in respect of access arrangements to the bins from the coffee shop; and
- the proposed apartments would have a cumulative adverse impact on the local community contrary to policy QD1 of PPS7.

The Chairperson welcomed Councillor McKeown to the meeting. He asked that the Committee would refuse the application for the following reasons:

- the residents agreed that the location should be brought back into use, but it should not happen at any cost;
- it was in community use up until less than a decade ago and therefore it did not need rescued, rather, it should be rejuvenated and brought back into use which complemented the community and the City;
- the proposal constituted overdevelopment and would result in loss of privacy, overshadowing and a loss of sunlight for residents;
- it would create an additional burden on the current parking issues in the area, posing road safety issues and that he disagreed with the officers' analysis; and
- he believed that it would have a negative impact on the built heritage in the area, particularly given the historical architectural nature of the site and its surroundings, including the view and setting of other listed buildings;
- the proposal was not in keeping with the size or nature of the existing site; and
- inactive frontages were usually discouraged within a city centre context.

The Chairperson then welcomed Ms. E. Kelly, Mr. N. Murray and Mr. A. Blackbourne, representing the agent and applicant, to the meeting.

Ms. Kelly advised the Committee that:

- the proposal would restore the 'at risk' buildings and return them to use;
- it would deliver an economic use onto the site along with delivering new housing within the city centre, thereby meeting the Council's aspirations to grow the city centre population;
- the proposals had the support of HED and the Council's Conservation Officer, who had been supportive of the applicant's vision to revitalise the buildings. They had worked closely with HED and planning officers during the Pre-Application Discussions to refine the proposals and deliver a development that would return the buildings back to use;
- the applicant had responded to the concerns of the local community by actively engaging in discussions with them over the past year. They shared the residents desire to see the building brought back into use and were happy for those discussions to continue;

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- the buildings had been vacant since 2013 and had fallen into disrepair since the school had closed in 1987. The buildings were subsequently purchased by Belfast Buildings Preservation Trust but they had been unable to restore them as intended;
- the current state of the buildings was readily apparent from outside and Members would have seen the current internal state from their site visit;
- the proposal would complete the street frontage on Joy Street by filling in a gap site, taking the opportunity to enhance the Conservation Area. It continued along the existing building line and was characteristic of the city centre context.
- the separation distance between properties was typical of an urban environment;
- HED and the Conservation officer were satisfied that the new build element would not impact on the setting of listed buildings in the area;
- detailed modelling had been provided to show that the upper floor would have a limited presence in the streetscene and that its impact would not harm the conservation area;
- in respect of the impact on the Conservation Area, the courtyard had already been subject to development as part of the 1 Sussex Place development;
- the impact on the Conservation Area and the setting of the listed buildings had been robustly assessed by both the Conservation officer and HED, both of whom had offered no objections;
- in respect of access to the apartments facing onto Rathbone Street, she explained that that would require intervention into the elevation of a listed building and that the scheme sought to minimise such interventions;
- in respect of queries raised over policy LC1, she explained that it did not apply as the site was not located within an established residential area; and
- in respect of waste management, it was not unusual for bin storage to be provided at ground floor level and that the Waste Management Strategy had been prepared in conjunction with the Council's waste management section and planners.

Mr. Blackbourne advised the Committee that:

- before they had submitted the planning application, they had held PAD discussions for around two years and, through that process, they had secured the support of the Council's Planning Service, HED, as well as all other statutory consultees;
- whilst the scheme did not require community consultation, they would have held it if they had known the interest in the buildings, but no community interest was made known to them during the period of the PAD;
- since the application had been submitted, they had been pleased to hear from the Market Development Association (MDA) and their agents and had consulted with them on 9 occasions to date, between September 2020 and November 2021;

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- they were impressed by the MDA's plans for a Heritage Hub (226 sq m), Café (197 sq m) and Offices (324 sq m) and had made a firm commitment to MDA to provide them a reasonable timeline to get their business plan approved and funded, and only if they were unable to complete a purchase would they revert to their plans for saving the 2 historic buildings;
- having planning permission would be of significant benefit to the MDA business case and the current application in front of the Committee would secure permission for works to the listed buildings which could be extremely beneficial to MDA in the future; and
- it was their intention to sell the apartments on completion and not permit short-term letting and they were more than happy that the scheme be conditioned on that basis.

The Chairperson thanked the representatives for the agent and applicant for their presentation.

In response to a Member's question, Ms. Kelly advised the Committee that the Case officer's report had concluded that, on balance, given the significant heritage elements associated with the scheme, they outweighed and constituted a departure from planning policy in respect of amenity space. She added that the principal of residential development was established as the site was white land within the city centre and therefore it was considered acceptable.

In a question for officers, a Member queried where, in policy, did it state that more weight should be given to the conversion of a listed building over other contending policy elements of a scheme. In response, the Principal Planning officer explained that it was not a matter of giving more weight to a certain policy than another, it was about balance. She explained that officers could see that the listed buildings were in considerable disrepair and, in terms of regenerating a listed building could run up a considerable cost, a balance had to be struck in terms of restoring a listed building and bringing it back into use, which sometimes meant a trade off in terms of the level of amenity space.

In respect of policy LC2 of PPS7, the Principal Planning officer detailed that it had been addressed within the Late items pack as it had been raised by objectors. She outlined that the policy had been tested at the Planning Appeals Commission (PAC) and that it had been established that, provided that there was access to the public street, even if the apartments were situated solely in the rear of the property, that was acceptable.

A Member expressed concern that perhaps too many apartments had been included within the development and queried what constituted a quality residential environment. In response, the Principal Planning officer explained that, while they acknowledged that there were shortcomings as outlined within the report, on balance, they had recommended an approval.

A further Member expressed concerns regarding the scheme.

Moved by Councillor Murphy
Seconded by Councillor Maskey and

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Resolved – That the Committee agrees to refuse the application as it is contrary to the SPPS and PPS7 policy QD1, namely points (c) and (h), as well as being contrary to policy LC2, with delegated authority given to the Director of Planning and Building Control for the final refusal reasons.

(Councillor Hussey left the meeting at this point in proceedings)

**LA04/2020/2042/F - 12 social housing units - 10 general needs
and 2 complex needs at Alloa Street / Manor Street**

The Senior Planning officer outlined the details of the application which sought full planning permission for 10 no. general needs and 2 no. complex needs (social housing) dwellings with associated car parking, amenity space and landscaping.

The Members were advised that the application was before the Committee as approval was recommended without the approval from a Statutory Consultee, DFI Roads.

The main issues which had been considered in respect of the application included:

- the principle of the proposal at that location;
- the design, layout and impact on the character and appearance of the area;
- impact on amenity;
- loss of open space;
- access, movement and parking; and
- infrastructure capacity.

The Senior Planning officer explained that the site was unzoned land within the development limit of the Belfast Urban Area, as identified in the BUAP, draft BMAP 2004 and dBMAP 2015. Historically, the application site was occupied by residential accommodation.

The surrounding area was predominantly residential in character. The site, when cleared, was grassed over and as such the application site was amenity green space, which was protected under PPS 8 Policy OS1 unless it could be clearly shown that redevelopment would bring substantial community benefits that would decisively outweigh the loss of the open space.

The proposal was for social housing, consisting of complex needs units and general needs housing. The NI Housing Executive had expressed its support for the proposal. The Members were advised that the proposal would be secured for social housing through a Section 76 Planning Agreement. It was considered, taking all matters into consideration, in particular the past residential use on the site and the proposed provision of social housing, that the proposed redevelopment of the site for social housing was therefore, on balance, acceptable in principle.

The Committee was advised that car parking would be provided in the form of two in-curtilage spaces for each of the complex needs units. The Senior Planning officer outlined that the 10 general needs dwellings would be served by 16 communal spaces proposed as

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parallel bays off the proposed carriageway. She explained that the Creating Places parking requirements were for 17 unassigned spaces and hence there was a shortfall of 1 parking space. She explained that a separate parking study had been undertaken, identifying that the surrounding streets could accommodate any additional parking spaces required. She explained that it was considered that DFI Roads request for 3 year travel cards for each unit was not justified in that case.

The Members were advised that the developer had submitted a Travel Plan which detailed the appointment of a travel coordinator within the Housing Association to manage the site and the provision of a 1 year membership of a bike scheme for each dwelling and officers considered that to be reasonable. All other parking and access matters were resolved and final conditions on those were awaited.

Rivers Agency and BCC Environmental Health had offered no objections to the proposal. NI Water had advised that there was capacity at the Waste Water Treatment Works and offered advice on foul and sewer connections. They advised that they could consider connection to the drainage system where the applicant could demonstrate like for like development. As the site was previously developed for housing, with demolition of the last remaining properties as recently as 2015, and, as such, a positive outcome to the PDE was anticipated and it was considered, on balance, that the issue could be resolved by means of a negative condition.

No letters of objection were received and a letter of support from the Lower Oldpark Community Association was submitted by the applicant as part of the proposal.

The Committee granted approval to the application, subject a Section 76 Agreement to secure social housing, and delegated authority to the Director of Planning and Building Control to finalise the wording of conditions.

**LA04/2021/2520/F & LA04/2021/2736/LBC - Lighting
Project on Church Lane**

The Committee noted that an application had been received seeking permission to install festoon lights along Church Lane, with a parallel Listed Building Consent application submitted seeking consent for those works attached to listed structures along Church Lane.

The site was located within the Belfast City Centre Conservation Area. Overall, the Members were advised that the proposal would preserve the character and appearance of the area, including the Conservation Area, and would not be detrimental to the setting of nearby listed buildings, the amenity of neighbouring properties or be harmful to highway safety.

The application had been neighbour notified and advertised in the local press and no objections had been received. Historic Environment Division had been consulted and offered no objections.

The proposal had been assessed against and was considered to comply with the SPPS, BUAP, Draft BMAP, PPS6 and Sections 91 and 104 of the Planning Act (NI) 2011.

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The Committee granted approval to the application, subject to conditions, and delegated authority to the Director of Planning and Building Control to finalise the wording of conditions.

Chairperson